



**FINAL ADMINISTRATIVE DECISION
ILLINOIS PROPERTY TAX APPEAL BOARD**

APPELLANT: Mark Chertow
DOCKET NO.: 17-03195.001-R-1
PARCEL NO.: 16-28-107-028

The parties of record before the Property Tax Appeal Board are Mark Chertow, the appellant, by attorney Robert Rosenfeld, of Robert H. Rosenfeld and Associates, LLC in Chicago; and the Lake County Board of Review.

Based on the facts and exhibits presented in this matter, the Property Tax Appeal Board hereby finds **No Change** in the assessment of the property as established by the **Lake** County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$60,337
IMPR.: \$150,042
TOTAL: \$210,379

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the Lake County Board of Review pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) challenging the assessment for the 2017 tax year. The Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of the appeal.

Findings of Fact

The subject property consists of a two-story dwelling of brick exterior construction with 2,546 square feet of living area. The dwelling was constructed in 1958. Features of the home include a basement with finished area, central air conditioning, two fireplaces, a 483 square foot attached garage and an 800 square foot inground swimming pool. The property is located in Deerfield, West Deerfield Township, Lake County.

The appellant contends assessment inequity as the basis of the appeal. The subject's land assessment was not challenged. In support of this argument the appellant submitted information on three equity comparables located in the same neighborhood code assigned by the township assessor as the subject. The comparables are improved with two-story dwellings of brick exterior construction that range in size from 2,520 to 2,784 square feet of living area. The homes were built from 1952 to 1958. Each comparable has a basement, one with finished area, one or

two fireplaces and a garage ranging in size from 440 to 552 square feet of building area. Two of the comparables each have central air conditioning. The comparables have improvement assessments that range from \$94,091 to \$137,157 or from \$37.24 to \$49.27 per square foot of living area. Based on this evidence, the appellant requested the subject's improvement assessment be reduced to \$108,671 or \$42.68 per square foot of living area.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$210,379. The subject property has an improvement assessment of \$150,042 or \$58.93 per square foot of living area.

In support of its contention of the correct assessment the board of review submitted information on seven equity comparables located in the same neighborhood code assigned by the township assessor as the subject. Board of review comparable #4 is the same property as the appellant's comparable #3 and board of review comparable #1 was included twice in the Assessment Equity Grid Analysis. The comparables are improved with two-story dwellings of brick exterior construction that range in size from 2,417 to 2,912 square feet of living area. The homes were built from 1958 to 1961. Each comparable has a basement, three with finished area, one or two fireplaces and a garage ranging in size from 437 to 572 square feet of building area. Six comparables have central air conditioning. The comparables have improvement assessments that range from \$128,999 to \$163,611 or from \$49.27 to \$61.60 per square foot of living area. Based on this evidence, the board of review requested the subject's assessment be confirmed.

Conclusion of Law

The taxpayer contends assessment inequity as the basis of the appeal. When unequal treatment in the assessment process is the basis of the appeal, the inequity of the assessments must be proved by clear and convincing evidence. 86 Ill.Admin.Code §1910.63(e). Proof of unequal treatment in the assessment process should consist of documentation of the assessments for the assessment year in question of not less than three comparable properties showing the similarity, proximity and lack of distinguishing characteristics of the assessment comparables to the subject property. 86 Ill.Admin.Code §1910.65(b). The Board finds the appellant did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The parties submitted nine suggested equity comparables for the Board's consideration where one comparable was common to both parties. The Board gave less weight to the appellant's comparables #1 and #2 along with board of review comparables #3, #5, #6 and #7 each of which has an unfinished basement compared to the subject's finished basement. The Board finds the best evidence of assessment equity to be the common comparable and board of review comparables #1 and #2 which are more similar to the subject in location, design, age, dwelling size, finished basement and garage. However, these three comparables lack an inground swimming pool inferior to the subject property. These comparables have improvement assessments that range from \$136,891 to \$163,611 or from \$49.27 to \$61.60 per square foot of living area. The subject's improvement assessment of \$150,042 or \$58.93 per square foot of living area falls within the range established by the best comparables in this record. Based on this record the Board finds the appellant did not demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed and a reduction in the subject's assessment is not justified.

This is a final administrative decision of the Property Tax Appeal Board which is subject to review in the Circuit Court or Appellate Court under the provisions of the Administrative Review Law (735 ILCS 5/3-101 et seq.) and section 16-195 of the Property Tax Code. Pursuant to Section 1910.50(d) of the rules of the Property Tax Appeal Board (86 Ill.Admin.Code §1910.50(d)) the proceeding before the Property Tax Appeal Board is terminated when the decision is rendered. The Property Tax Appeal Board does not require any motion or request for reconsideration.



Chairman



Member



Member



Member



Member

DISSENTING: _____

CERTIFICATION

As Clerk of the Illinois Property Tax Appeal Board and the keeper of the Records thereof, I do hereby certify that the foregoing is a true, full and complete Final Administrative Decision of the Illinois Property Tax Appeal Board issued this date in the above entitled appeal, now of record in this said office.

Date: July 21, 2020



Clerk of the Property Tax Appeal Board

IMPORTANT NOTICE

Section 16-185 of the Property Tax Code provides in part:

"If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel after the deadline for filing complaints with the Board of Review or after adjournment of the session of the Board of Review at which assessments for the subsequent year or years of the same general assessment period, as provided in Sections 9-125 through 9-225, are being considered, the taxpayer may, within 30 days after the date of written notice of the Property Tax Appeal Board's decision, appeal the assessment for such subsequent year or years directly to the Property Tax Appeal Board."

In order to comply with the above provision, YOU MUST FILE A PETITION AND EVIDENCE WITH THE PROPERTY TAX APPEAL BOARD WITHIN 30 DAYS OF THE DATE OF THE ENCLOSED DECISION IN ORDER TO APPEAL THE ASSESSMENT OF THE PROPERTY FOR THE SUBSEQUENT YEAR OR YEARS. A separate petition and evidence must be filed for each of the remaining years of the general assessment period.

Based upon the issuance of a lowered assessment by the Property Tax Appeal Board, the refund of paid property taxes is the responsibility of your County Treasurer. Please contact that office with any questions you may have regarding the refund of paid property taxes.

PARTIES OF RECORD

AGENCY

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

Mark Chertow, by attorney:
Robert Rosenfeld
Robert H. Rosenfeld and Associates, LLC
33 North Dearborn Street
Suite 1850
Chicago, IL 60602

COUNTY

Lake County Board of Review
Lake County Courthouse
18 North County Street, 7th Floor
Waukegan, IL 60085